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HEZBOLLAH INTEL HQ HIT, SAYS ISRAEL

Israeli military said it struck Hezbollah's intelligence headquarters and other buildings linked to the group in Beirut, killing 15 fighters. Suspense continued over Israeli response to the Iranian missiles attacks. US President Joe Biden said he is discussing with Israel about striking Iran's oil facilities. Amid the spiralling conflict in West Asia, domestic equity markets fell sharply. Sensex and Nifty tanked more than 2% each on Thursday | P12

SC outlaws caste discrimination in jails across India

Quashes jail manual rules of 10 states, says caste-based work allocation in prisons illegal

SUCHITRA KALYAN MOHANTY
@ New Delhi

IN a landmark verdict, the Supreme Court on Thursday held that there should not be any caste discrimination in prisons across the country and all present provisions in jail manual perpetuating such discrimination must go. The apex court also registered a suo motu case to monitor the issue.

A three-judge bench led by the Chief Justice D Y Chandrachud directed all states and Union territories to revise their prison manuals to end caste-based allotment of work. "Distribution of manual work among prisoners on the basis of their caste hierarchy is discriminatory and unconstitutional," said the bench, also comprising Justices J B Pardiwala and Manoj Misra.

It also ordered the Centre to make necessary changes according to the judgment to address caste-based discrimination in the Model Prison Manual, 2016 and the Model Prisons and Correctional Services Act, 2023.

The apex court gave the Centre and states three months to amend their prison manuals to read down discriminatory laws and file compliance reports before it. The verdict came on a plea filed by Sukanya Shantha, a native of Kalyan in Maharashtra, alleging that prison manuals of some states encourage caste-based discrimination.

The order dealt with certain discriminatory provisions of jail manuals of 10 states—Uttar Pradesh, West Bengal, Madhya Pradesh, Andhra Pradesh, Odisha, Kerala, Karnataka, Maharashtra, and Himachal Pradesh—and set them aside.

No caste details to be entered

The bench also ordered deletion of caste details of prisoners from prison registrars. "Caste column in convict or undertrial registrars shall be deleted," it said

The court held that assigning cleaning and sweeping tasks to inmates belonging to the marginalised sections and allowing the higher castes to do cooking is a clear violation of Article 15(1).

"Such indirect uses of phrases which target so called lower castes cannot be used within our constitutional framework. Prison manuals are only reaffirming such discrimination," the CJI said.

Observing that right to live with dignity extends even to the incarcerated, the bench said: "Criminal laws of the colonial era continue to impact the postcolonial world."

THE 'KING' IS HERE

Scion of erstwhile Mysore royal family Yaduveer Krishnadatta Chamaraja Wadiyar conducts his 10th private durbar at the durbar hall of Amba Vilas Palace in Mysuru on Thursday, marking the commencement of Dasara festivities | P4

FIR against HDK for demanding ₹50 cr from realtor for C'patna bypoll

EXPRESS NEWS SERVICE
@ Bengaluru

AMRUTHAHALLI police on Thursday registered an FIR against Union Minister for Steel and Heavy Industries HD Kumaraswamy for allegedly demanding Rs 50 crore from a realtor to meet the expenses on the byelection to the Legislative Assembly from Channapatna constituency.

Kumaraswamy has been named as accused No 2, while former JDS MLC Ramesh Gowda as the prime accused.

In his complaint, Vijay Tata claimed that he has been with JDS since 2018 and worked as vice-president of the party's social media wing. He spent crores of rupees when Kumaraswamy's son Nikhil Kumaraswamy contested the parliamentary election from Mandya in 2019. As he has business commitments, he could not actively take part in the activities of JDS, Tata claimed.

Tata alleged that Gowda visited his house on August 24. After a casual talk, Gowda referred to the Channapatna byelection and stated that Nikhil will be the party's candidate. Gowda also called Kumaraswamy and mentioned that he was in his (Tata's) house and handed over the phone to him.

"After exchanging greetings, Kumaraswamy told me that winning the byelection this time is a must for JDS and asked me to give Rs 50 crore towards election expenses. Shocked by this, I told Kumaraswamy that I don't have that much money and that I have to complete my real estate projects," Tata alleged. CONTINUED ON: P4

Don't criminalise marital rape: Govt

SUCHITRA KALYAN MOHANTY
@ New Delhi

THE Centre on Thursday strongly opposed the demand to criminalise marital rape, arguing in its affidavit in the Supreme Court that punitive measures are already in place to deal with it. "Parliament has provided different remedies, including criminal law provisions, to protect consent within marriage. Sections 354, 354A, 354B, 498A IPC, and the Protection of Women from Domestic Violence Act, 2005, ensure serious penal consequences for such violations," the affidavit said.

A three-judge bench comprising Chief Justice of India D Y Chandrachud and justices J B Pardiwala and Manoj Misra is hearing a batch of pleas on the matter. In its affidavit, the Centre said that the issue is primarily "social rather than legal".

"Criminalizing marital rape would have significant implications for society. The jurisdiction to criminalize such acts (marital rape) does not lie with the Supreme Court but rather with the legislature," the Centre said in its affidavit.

It added that the present question is essentially a social issue on which Parliament has taken a position after weighing all shades of opinions. Parliament, it added, decided to retain Exception 2 to Section 375 of IPC in 2013 while amending the said section in 2013. Striking it down on the grounds of constitutional validity will have a far-reaching effect on the institution of marriage, it argued. "It may severely impact the conjugal relationship and may lead to serious disturbances in the institution of marriage. In the fast-growing and ever-changing social and family structure, misuse of the amended provisions can also not be ruled out, as it would be difficult and challenging for a person to prove whether consent was there or not," the Centre said.

"In an institution of marriage, there exists a continuing expectation, by either of the spouse, to have reasonable sexual access from the other...these obligations, expectations and considerations, which are completely absent in the case of a stranger who seeks sexual congress, or even from any other intimate relationship, constitutes as a sufficient basis for the Legislature to distinguish qualitatively between an incident of non-consensual sex within the marital sphere and without it," the Centre said.

The relationship of marriage creates an intelligible differentia, which has a rational nexus with the object sought to be achieved, the government claimed, adding the provisions in law are not manifestly arbitrary. A two-judge bench of the Delhi High Court had on May 12, 2022 delivered a split verdict on the matter. While Justice Rajiv Shakdher was in favour of criminalising marital rape, Justice C Hari Shankar disagreed.

EXPRESS READ

Aero India 2025 to be held from Feb 10-14

Bengaluru: The 15th edition of Asia's premier air show, Aero India, will be held from February 10-14, 2025, at the Air Force Station in Yelahanka, the Ministry of Defence announced on Thursday | P9

Your slice of cake may have carcinogens

Bengaluru: The Food Safety Department has found carcinogenic agents in 12 of 235 cake samples collected from across the state. The Food Safety Commissioner has directed bakeries to exercise caution | P3

WITH THIS ISSUE

DTY'S BEST WEEKEND GUIDE INDULGE — 40 PAGES, INCLUDING 24 OF INDULGE (TABLOID)

Stray dogs keep Gadag villagers indoors

RAGHOTTAM KOPPAR @ Gadag

RESIDENTS of Battur, Kundrahalli, Kundrahalli Tanda and Shetty Kere villages in Lakshmeshwar taluk of Gadag district have been forced to stay indoors now for the fear of stray dogs.

Many children, cows, sheep and goats have been bitten by stray dogs in these villages. But what has become a cause for concern is the death of many dogs in these villages in the past three months. Villagers are even scared to drink milk, fearing that their cows might have been bitten by rabid dogs. A team of dog catchers led by a non-governmental organisation (NGO) from Bengaluru will visit the four villages on Friday and Saturday to catch the canines.

Meanwhile, health officials have launched a vaccine drive as a precautionary measure. Health camps are also being held to raise awareness against rabies among the people.

Health officials at a rabies awareness camp at Battur village in Gadag district | EXPRESS

In Battur village, 20 dog bite cases have been reported in the past 40 days. A cow died after it was bitten by a stray dog a few days ago.

Villagers complained to health officials after the dogs started attacking their cows and goats. Referring to the death of dogs, some villagers said the reason could be some unknown disease, but not rabies. They said they have appealed to their GP members to find a solution at the earliest.

"We are living in fear after a 17-year-old girl died recently. The girl, who was feeding a stray dog near her house, was bitten by it. She fell ill after a few days and was shifted to the KIMS Hospital in Hubballi, where she died. The reason for her death is not known. The health department should reveal the reason for the girl's death, otherwise people will start panicking," a few people from Battur village said.

Gadag DHO SS Neelagund said people of the four villages are now being vaccinated.

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